

9/07/04

IFW

CASE G-33574P1



FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

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September 3, 2004
Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1614

PATEL ET AL.

APPLICATION NO: 10/743,366

FILED: DECEMBER 22, 2003

FOR: MODAFINIL COMPOSITIONS

MS: Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

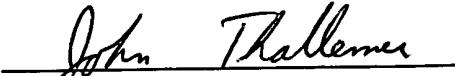
Applicants believe this paper is being filed before the mailing date of a first Office Action on the merits, and so under 37 C.F.R. §1.97(b)(3) no fees are required. If a fee is deemed to be required, the Commissioner is hereby authorized to charge such fee to Deposit Account No. 19-0134.

In accordance with 37 C.F.R. §1.56, applicants wish to call the Examiner's attention to the references cited on the attached form(s) PTO-1449.

Copies of these references are enclosed herewith.

The Examiner is requested to consider the foregoing information in relation to this application and indicate that each reference was considered by returning a copy of the initialed PTO 1449 form(s).

Respectfully submitted,


John D. Thallemer
Attorney for Applicants
Reg. No. 34,940
(862) 778-7945

Date: September 3, 2004

FORM PTO-1449
(REV. 7-85)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

O I P E

SEP 8 3 2004



ATTY. DOCKET NO.
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APPLICANT
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Group

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	AA	4,177,290	12/04/79	Lafon	424	324	03/09/79
	AB	4,418,068	11/29/83	Jones	424	267	12/16/81
	AC	4,927,855	05/22/90	Lafon	514	618	01/28/87
	AD	5,393,763	02/28/95	Black et al.	514	333	01/12/94
	AE	5,457,117	10/10/95	Black et al.	514	337	10/26/94
	AF	5,478,847	12/26/95	Draper	514	333	03/02/94
	AG	5,618,845	04/08/97	Grebow et al.	514	618	10/06/94
	AH	5,811,120	09/22/98	Gibson et al.	424	464	03/26/97
	AI	5,972,383	10/26/99	Gibson et al.	424	464	06/01/98
	AJ	6,323,236 B2	11/27/01	McElroy	514	439	02/18/00
	AK	6,346,548 B1	02/12/02	Miller et al.	514	618	08/15/00
	AL	6,383,471 B1	5/07/02	Chen et al.	424	45	04/06/99

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	OFFICE	CLASS	SUBCLASS	TRANSLATION YES NO
	AM	EP 1 027 886	08/16/00	Europe			<input type="checkbox"/> <input checked="" type="checkbox"/>
	AN	WO 2004/004692	01/15/04	WIPO			<input type="checkbox"/> <input checked="" type="checkbox"/>
	AO						<input type="checkbox"/> <input checked="" type="checkbox"/>
	AP						<input type="checkbox"/> <input checked="" type="checkbox"/>
	AQ						<input type="checkbox"/> <input checked="" type="checkbox"/>

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent pages, Etc.)

AR	Wong et al., "Single-Dose Pharmacokinetics of Modafinil and Methylphenidate Given Alone or in Combination in Healthy Male Volunteers", <i>J Clin Pharmacol</i> , Vol. 38, No. 3, pp. 276-282 (1998).
AS	
AT	

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial of reference considered, whether or not citation is in conformance with MPEP 609: Draw a line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.

(Use several sheets if necessary)

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U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	BA	6,455,588 B1	09/24/02	Scammell et al.	514	618	08/17/00
	BB	6,458,811 B1	10/01/02	Arbuthnot et al.	514	324	03/10/97
	BC	6,488,164 B2	12/03/02	Miller et al.	214	618	12/20/01
	BD	6,492,396 B2	12/10/02	Bacon et al.	514	332	05/15/01
	BE	6,589,556 B2	07/08/03	Cherukuri	424	484	05/17/01
	BF	RE37,516 E	01/15/02	Grebow et al.	514	618	04/01/99
	BG	2002/0082301	06/27/02	Miller et al.	514	618	12/20/01
	BH	2003/0022940	01/30/03	Corvari et al.	514	618	05/23/02
	BI	2003/0069313	04/10/03	Miller et al.	514	618	10/30/02
	BJ						
	BK						
	BL						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	OFFICE	CLASS	SUBCLASS	TRANSLATION YES	NO
	BM						<input type="checkbox"/>	<input type="checkbox"/>
	BN						<input type="checkbox"/>	<input type="checkbox"/>
	BO						<input type="checkbox"/>	<input type="checkbox"/>
	BP						<input type="checkbox"/>	<input type="checkbox"/>
	BQ						<input type="checkbox"/>	<input type="checkbox"/>

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent pages, Etc.)

	BR	
	BS	
	BT	

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